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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/905,698	07/10/2001	Richard R. Dickson	00-714	6169

719 7590 07/11/2003

CATERPILLAR INC.  
100 N.E. ADAMS STREET  
PATENT DEPT.  
PEORIA, IL 616296490

EXAMINER

FAYYAZ, NASHMIYA SAQIB

ART UNIT

PAPER NUMBER

2856

DATE MAILED: 07/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



**UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT

PAPER

7

DATE MAILED:

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\_\_\_\_\_  
Commissioner for Patents

1. ~~The amendment to the claims filed on 10-31-01 does not comply with the~~  
requirements of 37 CFR 1.121(c) because the amendments to the claims are not clear  
since the claims are all underlined but not all amended and it is unclear where any  
amendments have actually been made. Amendments to the claims filed after March 1,  
2001 must comply with 37 CFR 1.121(c) which states:

(c) Claims.

(1) Amendment by rewriting, directions to cancel or add: Amendments to a claim must be made by rewriting such claim with all changes (e.g., additions, deletions, modifications) included. The rewriting of a claim (with the same number) will be construed as directing the cancellation of the previous version of that claim. A claim may also be canceled by an instruction.

(i) A rewritten or newly added claim must be in clean form, that is, without markings to indicate the changes that have been made. A parenthetical expression should follow the claim number indicating the status of the claim as amended or newly added (e.g., "amended," "twice amended," or "new").

(ii) If a claim is amended by rewriting such claim with the same number, the amendment must be accompanied by another version of the rewritten claim, on one or more pages separate from the amendment, marked up to show all the changes relative to the previous version of that claim. A ~~parenthetical expression should follow the claim number indicating the status of the claim, e.g.,~~  
"amended," "twice amended," etc. The parenthetical expression "amended," "twice amended," etc. should be the same for both the clean version of the claim under paragraph (c)(1)(i) of this section and the marked up version under this paragraph. The changes may be shown by brackets (for deleted matter) or underlining (for added matter), or by any equivalent marking system. A marked up version does not have to be supplied for an added claim or a canceled claim as it is sufficient to state that a particular claim has been added, or canceled.

(2) A claim canceled by amendment (deleted in its entirety) may be reinstated only by a subsequent amendment presenting the claim as a new claim with a new claim number.

a. Since the reply filed on 10-31-01 appears to be *bona fide*, applicant is  
given a TIME PERIOD of **ONE (1) MONTH** or **THIRTY (30) DAYS** from the  
mailing date of this notice, whichever is longer, within which to submit an  
amendment in compliance with 37 CFR 1.121 in order to avoid abandonment.  
**EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR**  
**1.136(a).**

2. Further, support from the original specification for the preliminary amendments  
needs to be provided such as in the non-obvious amendments to paragraph 21 and 24.

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Art Unit: 2856

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3. ~~Any inquiry concerning this communication or earlier communications from the~~  
examiner should be directed to Nashmiya S. Fayyaz whose telephone number is 703-  
305-4891. The examiner can normally be reached on Mondays and Wednesdays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's  
supervisor, Hezron E. Williams can be reached on 305-4705. The fax phone numbers  
for the organization where this application or proceeding is assigned are 703-308-7382  
for regular communications and 703-308-7382 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or  
proceeding should be directed to the receptionist whose telephone number is 308-0956.

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N S F  
Art Unit 2856

nf  
July 8, 2003

HELEN KWOK  
PRIMARY EXAMINER  
PRIMARY EXAMINER  
*Helen Kwok*